

GALLAGHER & LATHROP
A PROFESSIONAL CORPORATION
INTELLECTUAL PROPERTY LAW

THOMAS A. GALLAGHER

DAVID N. LATHROP

601 CALIFORNIA STREET, SUITE 1111
SAN FRANCISCO
CALIFORNIA 94108-2805

TELEPHONE (415) 989-8080
FACSIMILE (415) 989-0910

FACSIMILE TRANSMISSION
571-273-3715

TO: Examiner Thomas H. Stevens
FROM: Jean Reed, Paralegal
DATE: June 8, 2006
SUBJECT: Serial # 10/638,232 - Inventor Medin's Declaration
OUR FILE: TYM3137

Number of pages being sent (including cover sheet): 6

TRANSMITTING FROM
(415) 989-0910

As discussed by phone today, attached is a declaration of inventor David Medin for application number 10/638,232. The previous law firm and the OIPE failed to note the omission of this declaration. We are submitting the declaration in anticipation of your review of the file.

The attached signed Declaration was originally fax filed with the US PTO on April 26, 2006, but does not appear to have been entered into the system. We appreciate your having the Declaration and ADS scanned into the system. Also attached are the fax confirmation sheets for our previous fax and the US PTO's Auto Reply.

Thank you very much for your assistance in this matter.

Substitute for Form PTO/SD/1A

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As a below named inventor, I declare:

I believe I am the original, first and sole inventor, or an original, first and joint inventor if more than one name is given below, of the subject matter which is claimed and for which a patent is sought in the invention described in:

- ☐ the attached application, or
☒ application No. 10/638,232 filed on August 7, 2003,
☒ as amended on October 14, 2004;

I have reviewed and understand the contents of the application identified above, including the claims, as amended by any amendment specifically referred to above;

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of any prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor three: David L. Medin

Citizen of: United States of America

Signature Date March 27, 2006

PTO/SB/21 (00-04)

Approved for use through 07/31/2006, OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number	10/638,232
Filing Date	06/07/2003
First Named Inventor	RAYMOND BROWNING
Art Unit	2123
Examiner Name	Thomas H. Stevens
Attorney Docket Number	M-15233 US

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
- ☐ After Final
- ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
- ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

DAVID MEDIN DECLARATION WI/DS

Remarks

EXAMINER STEVENS IS EXPECTING, PER 4-21-06 PHONE CALL

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	GALLAGHER & LATHROP
Signature	<i>[Signature]</i>
Printed name	DAVID N. LATHROP, ESQ.
Date	4-26-06

Reg. No. 34,655

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Jean Reed

Typed or printed name

JEAN C. REED

FAXED TO: (571) 273-8300

Date

4-26-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

APR 26 2006



4/26/2008 9:27:48 PM [Eastern Daylight Time]
4 (including cover page)

=====

PAGE 6/7 * RCVD AT 6/8/2006 6:10:58 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/11 * DNIS:2733715 * CSID:415 989 0910 * DURATION (mm:ss):02-06

JUN-08-2006(THU) 14:13 GALLAGHER & LATHROP

(FAX) 415 989 0910

P.007

APR-26-2006(WED) 17:29 GALLAGHER & LATHROP

(FAX) 415 989 0910

P.001

Transaction Report

Send

Transaction(s) completed

No.	TX D/Time	Destination	Duration	P. #	Result	Mode
571	APR-26 17:28	US PTO CENTRAL FAX	0' 00' 59"	004	OK	N ECM

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number	10/038,332
Filing Date	06/07/2003
First Named Inventor	RAYMOND BROWNING
An Unit	2123
Examiner Name	Thomas H. Stevens
Attorney Docket Number	LA-15233 US

PTO/SB/21 (00-04)
Approved for use through 07/31/2008. OMB 0831-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

ENCLOSURES (Check all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
<input type="checkbox"/> After Final
<input type="checkbox"/> Affidavit/Declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

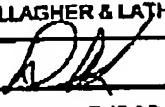
<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
<input type="checkbox"/> Change of Correspondence Address
<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> Request for Refund
<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):

DAVID MEDIN DECLARATION W/ADS |
|--|--|--|

Remarks


EXAMINER STEVENS IS EXPECTING, PER 4-21-06 PHONE CALL

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	GALLAGHER & LATHROP		
Signature			
Printed name	DAVID N. LATHROP, ESQ.		
Date	4-26-06	Reg. No.	34,855

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	
-----------	---